

**REMARKS**

The Examiner's objections as noted in paragraphs 2 and the first part of paragraph 3 of the office action have been corrected. Specifically, paragraph 47 was amended to correctly identify the inlet 221, and claim 10 was amended so that it now depends from claim 3. However, the objection to claim 17 is not believed to be proper. Paragraphs 47 to 49 of the specification, among other portions, set forth one presently preferred implementation of the fuel pump assembly wherein the inlet filter is connected to an inlet of the fuel pump at a location spaced from a brace in the inlet filter. As noted in paragraph 49, in this implementation an end portion 237 connected to the fuel pump inlet 221 is not joined to the brace 234 to facilitate bending of the inlet filter to adapt the geometry of the filter to its environment. Accordingly, claim 17 is believed to be clear, definite and fully supported by the application as filed, so it has not been amended in view of the stated objection.

The remaining amendments to the claims will be discussed in more detail below. Reconsideration and allowance of the amended and newly added claims is respectfully requested.

**Claim 1**

Independent claim 1 stands rejected under 35 U.S.C. §102 as anticipated by Coha. Coha discloses a fuel system including a reservoir canister 22 with a top 24 including a plurality of bores through which a plurality of struts 76A-C slidably extend. The struts 76-C are connected to a cover 46 that is adapted to be sealed to a fuel tank wall. Springs 88A-C are disposed on the struts 76A-C to yieldably bias the canister away from the cover 46 and toward a bottom surface of a fuel tank in which the assembly is disposed. In this way the

canister 22 is slidably connected to the cover 46.

Independent claim 1, as amended, recites a fuel delivery assembly that includes a first assembly, a second assembly and a third assembly. The first assembly defines a mount adapted to be fixed onto a wall of a fuel tank, carries at least one accessory, and has at least two pipe sections. The second assembly includes an electric motor fuel pump and at least two tubular portions. And the third assembly includes at least two interchangeable linking members respectively fixed on the first assembly by an interference fit between the linking members and the pipe sections, and on the second assembly by an interference fit between the linking members and the tubular portions to provide support to the second assembly from the first assembly.

Coha does not teach, disclose or even suggest a fuel system having a first assembly connected to a second assembly by two linking members press fit into corresponding portions of the first and second assembly. For example, in Coha, the struts 76A-C are loosely received in bores in the top 24 to permit slidable movement of the canister 22 relative to the cover 46 and thereby ensure that the canister remains biased against the bottom surface of a fuel tank. For at least this reason, amended claim 1 is not anticipated by Coha. Further, the specific yieldably biased canister arrangement of Coha teaches away from the construction and arrangement recited in claim 1 so claim 1 is not obvious in view of Coha. And finally, none of the other cited references teaches, discloses or even suggests the construction and arrangement of amended claim 1. So claim 1, as amended, is patentable over all of the cited art.

**Claims 2-31**

Each of claims 2-31 is dependent upon claim 1 and defines patentable subject matter for at least those reasons claim 1 is patentable. These claims further define patentable subject matter, such as in the exemplary limitations discussed below. Failure to specifically mention a claim should not be taken as an admission that such claim does not define patentable subject matter in addition to that set forth in claim 1.

In claim 5, the fuel delivery assembly is recited as including a fuel level sensor carried by the first assembly. None of the cited art appears to disclose, teach or even suggest such a construction and arrangement. Rather, the fuel level sensors in the cited art are carried by other portions of the fuel systems, such as by the bracket 30 on the canister 22 in Coha. Claim 13, as amended, sets forth that the first assembly defines two coaxial conduit sections separated by a wall and formed in one-piece with the mount. Neither Coha nor any other cited reference discloses the claimed subject matter. Claim 20 recites that the second assembly includes a housing with elongated tubular portions adapted to receive the associated ends of the linking members. Such elongated tubular portions are not disclosed in the cited art.

Claim 22 recites a fuel filter carried by the fuel pump and wherein the portion of an arm defining an axial abutment for the fuel pump is adapted to be sandwiched between the fuel pump and the filter in order to prevent axial movement of the fuel pump. In Hoover, which was cited by the Examiner with regard to this claim, the axial abutment for the fuel pump is separate from the filter and is not sandwiched between the fuel pump and the filter. Further, there is no disclosure or suggestion in Hoover that the axial support for the fuel pump engages a sector of the fuel pump to prevent it from rotating, as called for in claim 23.

Rather, Hoover merely suggests that pins 54 provide a resilient axial support for the fuel pump. Accordingly, Hoover fails to fill-in the deficiencies of Coxa with regard to the limitations set forth in claims 22 and 23, and these claims are patentable over all the cited art.

Claim 27 provides that the linking members include reference beads that limit insertion of the linking members into one of the pipe sections and the tubular portions. The Examiner has rejected this claim in view of Coxa, and more specifically, in view of the flared ends 80 of the struts 76A-C in Coxa. But the flared ends are merely provided to prevent unintended withdrawal of the struts 76A-C from the bores in the top 24, and are not reference beads that limit insertion of the struts 76A-C in any way. Accordingly, at least as amended, claim 27 defines patentable subject matter.

New claim 31 is dependent upon claims 12, 11 and 1 and is patentable for at least those reasons that claims 12, 11 and 1 are patentable. Claim 31 also recites an orifice in one of the pipe sections that communicates with an outlet of a pressure regulator so that fuel discharged from the pressure regulator flows into the pipe section and its corresponding linking member. None of the cited art discloses or even suggests such a construction and arrangement.

#### **New claims 32-34**

New independent claim 32 recites a fuel delivery assembly that includes a first assembly including a flange, a cup defining at least part of a chamber, and a housing formed in one-piece with the cup and having at least one passage, a second assembly including an electric motor fuel pump, a third assembly including at least two linking members respectively fixed on the first assembly and on the second assembly, a filter disposed in the

chamber in communication with the fuel pump to filter fuel discharged from the fuel pump, and a fuel pressure regulator carried by the housing in communication with the at least one passage. Such a fuel delivery system is not disclosed or suggested in the cited art.

New claims 33 and 34 are dependent upon claim 32 and define patentable subject matter for at least those reasons that claim 32 is patentable.

### **CONCLUSION**

Each of claims 1-34 as amended or newly added is believed to define patentable subject matter over all cited art. Accordingly, consideration and allowance of each of these claims is respectfully requested.

If, after considering this Response, the Examiner believes any of the claims are not in condition for allowance, it is respectfully requested that the Examiner initiate a telephone interview with Applicants' undersigned attorney, Matthew J. Schmidt, whose telephone number is (248) 689-3500, so immediate consideration can be given to any further amendment suggested by the Examiner or needed to place all of the claims in condition for allowance.

Included with this response are a fee transmittal and authorization to charge applicants' deposit account for the fee for the added claims. Any additional fee deemed necessary for this response may also be charged to deposit account no. 50-0852.

Respectfully Submitted,



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